



S&H Form: (2/01)  
Attorney Docket No. 1344.1046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Nobuaki MITAMURA et al.

Application No.: 09/697,179

Group Art Unit: 2882

Confirmation No.: 4454

Filed: October 27, 2000

Examiner: Krystyna Suchecki

For: AIRGAP TYPE ETALON APPARATUS UTILIZING THE SAME

**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the Office Action mailed September 18, 2002, having a period for reply set to expire October 18, 2002, applicants elect claims 1-7 of Group I, without traverse.

**IN THE CLAIMS:**

Please CANCEL non-elected claims 8-13, without prejudice.

**REMARKS**

In the Office Action the Examiner restricted the application to one of four inventions. The applicants hereby elect the invention of Group 1, which includes claims 1-7. This election is made without traverse. The remaining claims have been cancelled without prejudice.

Entry of this amendment and favorable examination are respectfully requested.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 10-15-02

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10-17-02